

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION – DETROIT**

IN THE MATTER OF:
Keith Douglas Kerr, Debtor(s).

CHAPTER 13
CASE NO. 10-72939-TJT
JUDGE THOMAS J. TUCKER

**TRUSTEE'S OBJECTIONS TO
CONFIRMATION OF CHAPTER 13 PLAN**


NOW COMES, the Chapter 13 Trustee, Tammy L. Terry, and objects to confirmation of the Chapter 13 Plan in the above matter pursuant to E.D. Mich. L.B.R. 3015-3(a) and 11 U.S.C. §1307(c)(5) as follows:

1. The debtor indicates in section I (A) of the Plan that plan payments will increase upon termination of a car payment. The Trustee requests that the debtor specifically provide for the date that this increase will take place in the Order Confirming Plan.
2. The debtor's Plan proposes that the debtor remit monthly automobile payments in the amount of \$182.00 to CP Federal Credit Union for a motorcycle. The amount of such monthly payment, however, is not reasonably necessary for the debtor's maintenance and support as required by 11 U.S.C. 1325(b). See, In re Rogers, 65 B.R. 1018 (Bankr. E.D. Mich., 1986). Trustee requests that debtor(s) increase best effort by \$182.00 and the dividend to unsecured creditors accordingly.
3. The Trustee requests that the debtors provide documentation seven (7) days prior to Confirmation that evidences that the debtor has paid all amounts required under a Domestic Support Obligation since the date of filing the Petition, pursuant to 11 U.S.C. §1325(a)(8).
4. The debtor testified at the § 341 First Meeting of Creditors that a judgment of divorce has been entered. The Trustee requests that the debtor provide a copy of the divorce decree prior to confirmation.
5. The debtor indicates that he receives overtime. The debtor testified at the §341 First Meeting of Creditors that this overtime varies month to month. The Trustee requests that the debtor provide copies of three (3) most recent post-petition pay stubs at least seven days prior to confirmation.

WHEREFORE, the Chapter 13 Trustee prays this Honorable Court deny confirmation of the debtor's (s') Chapter 13 Plan and dismiss this case pursuant to 11 U.S.C. §1307(c)(5).

OFFICE OF THE CHAPTER 13 TRUSTEE-DETROIT
Tammy L. Terry, Chapter 13 Trustee

December 16, 2010

/S/ TAMMY L. TERRY (P-462541) 
Chapter 13 Standing Trustee
/s/ KIMBERLY SHORTER - SIEBERT (P-49608)
/s/ MARILYN R. SOMERS-KANTZER (P-52488)
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CERTIFICATE OF MAILING

I hereby certify that on December 20, 2010, a copy of **TRUSTEE'S OBJECTIONS TO CONFIRMATION OF CHAPTER 13 PLAN** was electronically filed with the Clerk of Court, served electronically to the debtor's(s') attorney and a copy of same deposited in the U. S. Mail to the debtor (s) at the address as it appears below.

/s/ Juatane E. Miller

For the Office of the Chapter 13 Trustee-Detroit
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